

DETAILED ACTION

This is in reference to communication received 08 July 2009. Claims 1 – 9, 14 – 19 and 22 – 25 are pending for examination.

Response to Arguments

Applicant's arguments and concerns are for amended claims which have been responded to in response to pending amended claims.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1 – 9, 14 – 19 and 22 – 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsunoda US Patent 7,466,347 in view of Wright Jr. US Patent 5,704,029.

Regarding claims 1, 14 and 22, Tsunoda teaches system and method for using a portable image capture device like a digital camera with the capability for drafting

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documents which makes it possible to convert a still image picked up in the digital camera device to a document and register the formed document in a server [Tsunoda, col. 1. lines 39 – 46]. Tsunoda teaches using Template to generate documents.

Tsunoda does not explicitly recite directing of collection of data, however, Tsunoda teaches automated drafting process carried out by the portable image capture device [Tsunoda, col. 5, lines 54 – 55]. However, Wright teaches system and method for providing computerized forms completion and processing using a portable device. Wright teaches concept for directing user for collection of data.

Therefore, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Tsunoda by adopting teachings of Wright to inform user what information is required to generate a desired document, apply a known technique to a known device (method, or product) ready for improvement to yield predictable results, known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art.

Tsunoda in view of Wright teaches concept and capability for:

prompting/directing user to provide data [Wright, Fig. 2 and disclosure associated with the figure]

utilizing a portable image capture device with workflow process including a template contained in the portable image capture device having at least one predetermined point at which data input, including captured image data, is expected

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[Tsunoda, teaches device, and Watts teaches predetermined point for prompting user to provide data];

directing, by the portable image capture device, collection of the data input via the portable image capture device [Watts, Fig. 1 and disclosure associated with the figure];

automatically integrating the collected data input in the workflow process by the portable image capture device by automatically associating the collected data input with the template in the portable image capture device, thereby generating an output document [Tsunoda teaches generating document].

Regarding claim 2, Tsunoda in view of Wright teaches capability for selecting a template for the workflow process from a plurality of templates in the portable image capture device [Tsunoda, col. 5, lines 49 – 55].

Regarding claims 3 and 15, Tsunoda in view of Wright teaches capability for prompting for performance of an image capture at the at least one predetermined point in the template.

Regarding claim 4, 16 and 23, Tsunoda in view of Wright teaches capability for prompting for entering of any voice data and text data at the at least one predetermined point in the template.

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Regarding claims 5, 18 and 24, Tsunoda in view of Wright teaches capability for inserting the image captured and the at least one of the voice and text data input at the at least one predetermined point of the template (**documents with voice and image is old and known technology known to one of ordinary skill in the art**).

Regarding claims 6 and 17, Tsunoda in view of Wright teaches capability for accepting data which is transcribed from voice data to text data (**Transcribing of voice data to text is old and know technology, for example, doctors use transcribing technology for converting their voice input as text in a document**)

Regarding claims 7 and 19, Tsunoda in view of Wright teaches capability for providing the document for a next step in the workflow process.

Regarding claim 8, Tsunoda in view of Wright teaches capability wherein the portable image capture device can be a digital camera.

Regarding claims 9 and 25, Tsunoda in view of Wright teaches capability for transferring the output document from the portable image capture device to a computer.

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Claims 6 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tsunoda US Patent 7,466,347 in view of Wright Jr. US Patent 5,704,029 and Information on Vox2Data.

Regarding claims 6 and 17, at the time of invention, it would have been obvious to one of ordinary skill in the art to modify Tsunoda in view of Wright by using technology taught by Vox2Data to allow the user to dictate data for the document, apply a known technique to a known device (method, or product) ready for improvement to yield predictable results, known work in one field of endeavor may prompt variations of it for use in either the same field or a different one based on design incentives or other market forces if the variations would have been predictable to one of ordinary skill in the art.

Conclusion

Applicant is required under 37 CFR '1.111 (c) to consider the references fully when responding to this office action.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NARESH VIG whose telephone number is (571)272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

October 19, 2009

/Naresh Vig/
Primary Examiner, Art Unit 3629